

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL
February 16, 2004

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** was held on Monday, February 16, 2004, at 7:22 p.m., in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina.

PRESENT: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mr. Milton Farley, Councilmember District No. 1; Ms. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Charles E. Davis, Councilmember District No. 4; Mr. Dennis L. Fish, Councilmember District No. 5; Mr. Caldwell Pinckney, Jr., Councilmember District No. 7; Mr. Steve C. Davis, Councilmember District 8; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council. Mrs. Judy C. Mims, Councilmember District No. 6, was excused from this Regular Council Meeting.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Rozier called the meeting to order and stated the invocation and pledge were held at an earlier meeting.

APPROVAL OF MINUTES:

Public Hearings: Bills Numbered, 03-77 and 03-78	January 27, 2004
Regular Council Meeting	January 27, 2004

It was moved by Councilmember Fish and seconded by Councilmember Spooner to approve the minutes as presented. The motion passed by unanimous voice vote of Council.

No one signed up for **PUBLIC DISCUSSION**; and an **EXECUTIVE SESSION** was not needed.

Ms. Betsy Fleming, Gibbes Museum of Art Director.

Ms. Fleming addressed Council and expressed appreciation to Council for allowing her to appear. She indicated like Berkeley County, the Gibbes Museum of Art has a great history and is the oldest Art Museum in the State as well as one of the oldest collections in the Southeastern Region. She explained many of the programs available at the Gibbes, especially for the children. They oversee 6,000 school kids from the Tri-County Area; have a very strong program and would like to encourage more Berkeley County School Groups to participate with the museum. Also, she explained a new arts to-go program, which takes their school instructors on the road, offering after school programs, art programs at community centers, and assisted living facilities throughout the area. Ms. Fleming stated their vision is to become the artistic creative heart of the low country by building bridges between art and life, past, present, and future, and through

people and partnerships. Ms. Fleming encouraged Council to visit and to call if they had any questions or suggestions in terms of how they can better reach those interested in visual arts in Berkeley County.

Chairman Rozier thanked Ms. Fleming for visiting Berkeley County and expressed his enjoyment of the art and the functions at the Gibbes.

Chairman Rozier read the three Bills for Third Reading.

THIRD READINGS:

“BILL NO. 03-80, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #267-00-00-089.” (*Ralph Atkinson*)

It was moved by Councilmember Steve Davis and seconded by Councilmember Spooner to approve Bill No. 03-80 for Third and Final Reading. The motion passed by unanimous voice vote of Council. (*A copy of Ordinance No. 04-02-03 is attached to these Minutes.*)

“BILL NO. 03-81, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #271-00-02-053.” (*Clements Ferry Development Partners*)

It was moved by Councilmember Steve Davis and seconded by Councilmember Fish to approve Bill No. 03-81 for Third and Final Reading. The motion passed by unanimous voice vote of Council. (*A copy of Ordinance No. 04-02-04 is attached to these Minutes.*)

“BILL NO. 03-82, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #235-01-01-001.” (*Miles Martshcink*)

It was moved by Councilmember Crosby and seconded by Councilmember Fish to approve Bill No. 03-82 for Third and Final Reading. The motion passed by unanimous voice vote of Council. (*A copy of Ordinance No. 04-02-05 is attached to these Minutes.*)

Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.

Without objection Chairman Rozier read the five Bills for Second reading as a collective group to be given Second Reading by one motion.

SECOND READINGS:

“BILL NO. 04-01, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #211-00-02-009.” (*Barry Whalen*)

“BILL NO. 04-02, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #271-00-02-055.” (*Portrait Homes*)

“BILL NO. 04-03, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #244-15-07-004.” (*Susanna & David Young*)

“BILL NO. 04-04, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #197-00-01-019.” (*FoxBank Partners*)

“BILL NO. 04-05, AN ORDINANCE AMENDING ORDINANCE NO. 00-3-17. WHICH GRANTED A NON-EXCLUSIVE SEWER FRANCHISE TO **WILLIAM M. LEDBETTER.**”

It was moved by Councilmember Spooner and seconded by Councilmember Fish to approve Bills Numbered 04-01, 04-02, 04-03, 04-04, and 04-05 for Second Reading. The motion passed by unanimous voice vote of Council.

Chairman Rozier read the six Bills for First Reading and explained that on Bills for First Reading there would be no discussion or vote; but would be simply read into the record and sent to the proper committees for discussion.

FIRST READING:

“BILL NO. 04-06, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #s 194-00-02-060 and 194-00-02-113.” (*Samuel Haney and David Gadsen*)

“BILL NO. 04-07, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #195-11-02-013.” (*Steven & Kristie Peterson*)

“BILL NO. 04-08, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #025-00-01-105.” (*Walter Hill*)

“BILL NO. 04-09, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #175-00-02-051.” (*Jack Pryor*)

“BILL NO. 04-10, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #030-00-03-012.” (*Nathaniel & Shannon Whitten.*)

“BILL NO. 04-11, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO THE APPROVED USES OF TMS #016-00-07-019.” (*Arthur White*)

RESOLUTION:

“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2003-2004 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”

It was moved by Councilmember Crosby and seconded by Councilmember Fish to approve the Transfer Resolution. The motion passed by unanimous voice vote of Council. (*A copy of Resolution No. R 04-04 is attached to these Minutes.*)

REPORTS FROM STANDING COMMITTEES:

COMMITTEE ON FINANCE, Mr. Dennis L. Fish, Chairman.

Councilmember Fish stated the Committee met earlier tonight; and on recommendation of the Committee he moved to approve additional funds in the amount of \$30,000 for postage for the Assessor’s Department to come from Contingency. (*No Second Required*)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee Councilmember Fish moved to approve \$3,628.35 to fund a position for the Daniel Island Library to come from Contingency. (*No Second Required*)

The motion passed by unanimous voice vote of Council. (That concluded Mr. Fish's report.)

COMMITTEE ON LAND USE, Mr. Milton Farley, Chairman.

Councilmember Farley stated the Committee met on February 9 and many of the matters before the Committee have been taken care of on tonight's agenda. On recommendation of the Committee he moved to *deny* the request by Carl Orvin, 1113 Walter Road, Macedonia, TMS #071-00-02-015 from F-1 Agricultural District to RNC, Rural Neighborhood Commercial District. (No Second Required)

The motion passed by majority voice vote of Council with Council Members Steve Davis and Caldwell Pinckney, Jr. voting "Nay."

Councilmember Farley indicated that a letter of withdrawal was received today from Kenneth Reed Re: property at 1001 St. James Avenue, Goose Creek. (That concluded Mr. Farley's report.)

COMMITTEE ON PUBLIC WORKS AND PURCHASING, Mr. Caldwell Pinckney, Jr., Chairman.

Councilmember Pinckney stated the Committee met on February 9 and on recommendation of the Committee he moved to approve a sole source purchase for the EMS Department for Emergency Management Software from Emergency Services Integrators funded through a grant received by the department. No matching funds required. (No Second Required)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee Councilmember Pinckney moved to award the Residential Franchise Solid Waste Contract to Suburban Disposal in the amount of \$22.05 per quarter with Bid Alternate #1. (No Second Required)

The motion passed by unanimous voice vote of Council.

On recommendation of the Committee Councilmember Pinckney moved to award the contract for the Mack Roll-off Truck for the Landfill to Nu-Life Environmental in the amount of \$109,806.84. (No Second Required)

The motion passed by unanimous voice vote of Council. (That concluded Mr. Pinckney's report.)

COMMITTEE ON JUSTICE & PUBLIC SAFETY, Mrs. Judy C. Mims, Chairman.

In the absence of Councilmember Mims, Councilmember Spooner stated the Committee met on February 9 and on recommendation of the Committee she moved

to approve the transfer of funds in the Sheriff's Department in the amount of \$14,540.00 from Special Contracts to Special Revenue Funds to provide matching funds for a National Incident Base Reporting System. (No Second Required)

The motion passed by unanimous voice vote of Council. (That concluded Mrs. Mims' report.)

COMMITTEE ON WATER & SANITATION, Mr. Steve C. Davis,
Chairman.

Councilmember Steve Davis stated the Committee met on February 9th and earlier tonight and many of the matters before the Committee had been taken care of. On recommendation of the Committee he moved to approve the purchase of the Herrin Property for an amount not to exceed \$130,000, which includes Berkeley County Water and Sanitation Authority participation in the infrastructure construction. And to authorize the County Supervisor to execute the necessary documents to complete the purchase. (No Second Required.)

The motion passed by unanimous voice vote of Council. (That concluded Mr. Steve Davis' report.)

There was no report from the following Committees:

COMMITTEE ON PLANNING & DEVELOPMENT, Mr. Charles E. Davis, Chairman.

COMMITTEE ON COMMUNITY SERVICES, Mrs. Judith K. Spooner, Chairman.

COMMITTEE ON HUMAN SERVICES, Mr. William E. Crosby, Chairman.

Councilmember Crosby stated the Committee met on February 9th and Ms. Madelyn Robinson, Berkeley County Planner, provided the Committee with a draft of the early action plan due in March 2004. No action was required at this time. (That concluded Mr. Crosby's report.)

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

Councilmember Charles Davis reappointed Don Harbert to the Sangaree Special Tax District.

The Nominations passed by unanimous voice vote of Council.

There was no **CORRESPONDENCE**.

UNFINISHED BUSINESS

Chairman Rozier addressed Curbside Recycling and distributed a report to Council. The question was should they approve an extra amount of money for recycling and he said he didn't think it was needed. Berkeley County is the number one recycling county in the State of South Carolina. According to the report, an individual creates 7.5 pounds of waste per day; a lot of that waste is created by industry due to our large industrial base. Only 3.5 pounds go to the landfill. In one way or the other we recycle 53.3% of our waste. Lancaster depicts that 40.3% of their waste goes to the landfill but they export 6,656 tons of waste a year to other landfills. Chairman Rozier stated he did not believe it necessary that the County follow the example of others with Curbside Recycling and spend extra money by charging \$17 to \$18 a year on the Solid Waste Fee when we do better than other counties.

It was moved by Councilmember Fish for approval of a “**RESOLUTION FOR AN EXPANDED AUDIT, INCLUDING AGREED UPON PROCEDURES FOR SAID AUDIT OF ALL THE FINANCIAL TRANSACTIONS OF THE BERKELEY COUNTY CLERK OF COURT’S OFFICE.**”

The motion was seconded by Councilmember Charles Davis; and passed by unanimous voice vote of Council. (A copy of Resolution No. 04-05 is attached to these Minutes.)

NEW BUSINESS

“RESOLUTION, TO APPOINT AND COMMISSION ADDITIONAL CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY, GENERAL WELFARE, AND CONVENIENCE OF BERKELEY COUNTY.”

It was moved by Councilmember Crosby and seconded by Councilmember Steve Davis to approve the Resolution Re: Code Enforcement Officer. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. 04-06 is attached to these Minutes.)

Chairman Rozier announced that the next Regular Council Meeting would be held on March 15, 2004, immediately following Public Hearings, the meeting of the Committee on Finance at 6:00 pm, in the Assembly Room, 223 North Live Oak Drive, Moncks Corner, S.C.

It was moved by Councilmember Crosby and seconded by Councilmember Steve Davis to adjourn. The motion passed by unanimous voice vote of Council.

The Regular Council Meeting adjourned at 7:43 for Execution of Documents; and reconvened at 7:52 for Public Discussion.

PUBLIC DISCUSSION

Ms. Robin Pittman of 104 Kershaw Court, Summerville distributed her letter to Council that she read into the record as follows:

“Dear Council Members:

“On Thursday, February 12, 2004, I submitted my letter of resignation to Councilman Davis from the Sangaree Special Tax District Advisory Commission. My letter was submitted in anger and haste and I request at this time I be allowed to rescind that letter of resignation and be allowed to complete my duties as Commissioner until the appointment ends. If at that time Council does not feel that I have upheld my duties as a commissioner my appointment should not be renewed

“A conflict of the Sangaree Parks and Recreation Commission and the Sangaree Special Tax District is at the heart of the resignation. Councilman Davis approached me on behalf of the Sangaree Parks and Recreation Commission after the SSTD Advisory Commission had voted during its last meeting to go ahead with plans to refurbish existing parks, something that had been asked of the Parks & Recreation Commission over the last two budget years, with moneys set aside in special contracts to accomplish this. During this time they have brought nothing to the SSTD Advisory Commission for these improvements. It has since come to my attention that Councilman Davis has requested that a former Sangaree Special Tax District Advisory Commission member, the one that you voted o tonight, and current Sangaree Parks and Recreation Commission member be nominated for any current vacancies on the SSTD Advisory Commission. This person, while well qualified and overly effective in his current position, has a clear conflict of interest with possibly sitting on two boards, one of which would be seeking money from the Sangaree Special Tax District. Along with this Councilman Davis has ignored other letters of consideration for this board, which were forwarded to him in a timely fashion, and has chosen to nominate commissioners without consideration of those which had been made available to him, or without consideration of the current board of Commissioners.

“While my resignation should never have been submitted in the manner in which it was, I feel at this time, with the best interest of the Sangaree Community in mind, my resignation not be accepted.”

Ms. Pittman stated she also had copies of emails forwarded to Councilman Davis with letters from other community residents who had asked to be placed on the board. She stated that Councilman Davis approached her regarding the Commission’s vote to proceed with refurbishment on behalf of Parks and Recreation indicating they were about to get in trouble for spending capital funds on property they didn’t own. However, their ordinance clearly states they are charged with maintenance in the care of the green spaces and parks. Ms. Pittman stated she only wished to do what was best for Sangaree. They have three other Commission members who had been there for the last seven to eight months. All who have no experience of going through a budget, including the newly appointed Don Harbert. Though he has served for five years he was never involved in the budget process.

Chairman Rozier asked Mr. Stokes' opinion Re: a person that serves on the Parks and Recreation Commission and has now been appointed to the Sangaree Special Tax Commission. Also, be cognizant that the Recreation Commission does seek funds from the Special Tax District.

Mr. Stokes stated he didn't think it would be a conflict of interest for an individual to serve both in the capacity of a commissioner for the Parks and Recreation, a non-profit organization, and as a commissioner for the Special Tax District. However, there will be instances just as with Council, where as office holders that the individual would need to recuse himself on voting on particular issues.

Chairman Rozier asked was the Recreation Commission a publicly appointed commission?

Mr. Stokes stated his understanding is that it is a private, non-profit corporation, and not appointed by a public body.

Chairman Rozier stated Council approved nomination of Mr. Don Harbert to the Sangaree Special Tax District Commission, if any changes were to be made it would be at the March Regular Meeting. Ms. Pittman's resignation was not brought to Council tonight and could be considered at next month's meeting as well.

Mr. Stokes indicated he would have to do further research regarding this matter, but the cursory response to that would be that a resignation is not effective until acted upon by a body. Therefore, until Council appoints a new a person as successor, rescind the resignation formerly, it is not effective until acted upon by the body.

Chairman Rozier stated he questioned Councilmember Davis' nomination as to whether it was to fill the position that had been resigned by Ms. Pittman and his response was "no, he was appointing another position." Therefore, there was no action taken on the resignation tonight.

Councilmember Steve Davis indicated he wanted to go on record that he was not aware of the individual serving on the Parks and Recreation Commission. He stated he didn't know if it would have altered his vote, but that should have been brought to their attention.

Chairman Rozier advised that Ms. Pittman is still a member of the Commission until her resignation is accepted.

Mr. Tom Martin of 308 Indian Drive, Summerville stated he was also a member of the Sangaree Tax Commission and that Ms. Pittman is the most qualified person to be on the Commission. She has been with the Tax District for five years, delegated many hours and has done a great job.

Chairman Rozier asked Ms. Pittman was it any possibility of she and Mr. Davis settling this issue?

Ms. Pittman indicated she was sure they could settle it, but her biggest concern was that they have had people who had volunteered to be put on the commission and were overlooked.

Chairman Rozier stated it was Mr. Davis' right to recommend whom he wanted, but if there was any possibility of their getting together and solving the problem of her resignation, that would be much better than Council trying to make a decision.

Councilmember Steve Davis asked Ms. Pittman when would her commission expire?

Ms. Pittman responded that her commission expires June 30, 2004.

The Public Discussion ended at 8:00 p.m.

S/Barbara B. Austin
Clerk of County Council

March 15, 2004
Date Approved

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** to be held on **Monday February 16, 2004**, is scheduled to begin immediately following Public Hearings, the meeting of the Committee on Finance, and the special meeting of the Committee on Water and Sanitation at 6:00 P.M., in the **ASSEMBLY ROOM, BERKELEY COUNTY OFFICE BUILDING, 123 NORTH LIVE OAK DRIVE, MONCKS CORNER, S. C.**

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

APPROVAL OF MINUTES:

Public Hearings: Bills Numbered: 03-77 and 03-78
Regular Council Meeting

January 27, 2004
January 27, 2004

PUBLIC DISCUSSION - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

CHAIRMAN OF COUNTY COUNCIL

MS. BETSY FLEMING, GIBBES MUSEUM OF ART DIRECTOR

THIRD READING:

1. **Bill No. 03-80**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: Ralph Atkinson**, Jessen Lane, Cainhoy, TMS #267-00-00-089, (1 lot), **from HI, Heavy Industrial District, to GC, General Commercial District**. Council District 8.
[Recommended by Committee on Land Use]

2. **Bill No. 03-81**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: Clements Ferry Development Partners**, Clements Ferry Road, Cainhoy, TMS #271-00-02-053, (24.98 acres) **from PDMU, Planned District Mixed Use, to R-1, Single Family Residential**. Council District 8.

[Recommended by Committee on Land Use]

3. **Bill No. 03-82**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, **Re: Miles Martschink**, 122 Sawgrass Avenue, Goose Creek, TMS #235-01-01-001, (20 acres) **from HI, Heavy Industrial District, to LI, Light Industrial District**. Council District 3.

[Recommended by Committee on Land Use]

Berkeley County Council Rules allows all bills to be given second reading by one motion as a collective group. Any member may object to a particular bill and it shall be separated from the collective group and handled by a separate motion.

SECOND READING:

1. **Bill No. 04-01**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re. **Barry Whalen** for George Herrin, Old Highway 52 and Cypress Gardens Road, Moncks Corner, TMS #211-00-02-009, (167.79 acres portion of 576 acres total), **from HI, Heavy Industrial District, to R-1, Single Family Residential District, (155.49 acres) R-4, Multi Family Residential District, (10.87) acres, GC General Commercial District, (1.43 acres)**. Council District No. 3.

[Recommended by Committee on Land Use]

2. **Bill No. 04-02**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Portrait Homes** for Dorothy Shad, et al, Clements Ferry Road and Sanders Farm Lane, Wando, TMS #271-00-02-055, **from PDMU, Planned District Mixed Use, (39.0 acres total), to GC General Commercial District, (5.41 acres), and R-4, Multi Family Residential District, (33.59 acres)**. Council District No. 8.

[Recommended by Committee on Land Use]

3. **Bill No. 04-03**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Susanna and David Young**, Old Back River Road and Smallhill Lane, Goose Creek, TMS #244-15-07-004, (5.02 acres), **from R-1, Single Family Residential District, to R-2, Mobile Home Residential District**. Council District No. 3.

[Recommended by Committee on Land Use]

4. **Bill No. 04-04**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **FoxBank Partners, LLC**, US Highway 52 near Cypress Gardens Road, Goose Creek, TMS # 197-00-01-019, (405.53

acres total), **from F-1, Agricultural District, to GC, General Commercial District, (21.6 acres), R-5, Multi Family District, (26.5 acres).** Council District No. 3.
[Recommended by Committee on Land Use]

5. **Bill No. 04-05**, An Ordinance amending Ordinance No. 00-3-17, which granted a Non-Exclusive Sewer Franchise to **William M. Ledbetter**.
[Recommended by Committee on Water & Sanitation]

FIRST READING:

1. **Bill No. 04-06**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Samuel Haney**, Haney Branch Road, Summerville, TMS# 194-00-02-060, (3.43 acres), and **David Gadsen**, Haney Branch Road, Summerville, TMS# 194-00 02-113, (.8 acres), **from F-1, Agricultural District, to GC, General Commercial District.** Council District 7.
[Recommended by Committee on Land Use]

2. **Bill No. 04-07**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Steven & Kristie Peterson**, 160 Adaba Dixie Lane, Summerville, TMS# 195-11-02-013, (15.9 acres), **from R-2, Manufactured Residential District, to R2-RF, Mobile Rome Farm District.** Council District 6.
[Recommended by Committee on Land Use]

3. **Bill No. 04-08**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Walter Hill**, Rosalee Lane, St. Stephen, TMS# 025-00-01-105, (.5 acres portion, 1 acre total), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District.** Council District 7.
[Recommended by Committee on Land Use]

4. **Bill No. 04-09**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Jack Pryor**, Gaddist Road, Ridgeville, TMS# 175-00-02-051, (1.24 acres), **from F-1, Agricultural District, to R-5, Multifamily District Large Scale.** Council District 7.
[Recommended by Committee on Land Use]

5. **Bill No. 04-10**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Nathaniel & Shannon Whitten**, Elliot Lane, Cross, TMS# 030-00-03-012, (1.05 acres), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District.** Council District 7.
[Recommended by Committee on Land Use]

6. **Bill No. 04-11**, An Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Arthur White**, 4732 N.

Highway 52, St. Stephen, TMS# 016-00-07-019 (1.09 acres), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District.** Council District 7.
[Recommended by Committee on Land Use]

RESOLUTIONS:

1. **RESOLUTION** providing for the Transfer of Funds in the 2003-2004 Berkeley County Budget for County Purposes other than as specified in said Budget.
[Recommended by Committee on Finance]

REPORTS FROM STANDING COMMITTEES:

1. **Committee on Finance.**
Councilmember, Mr. Dennis L. Fish, Chairman.
 - a. Assessor's Department: Additional Funds
 - b. Library Department: Funding for new position.
2. **Committee on Land Use.**
Councilmember, Mr. Milton Farley, Chairman.

Recommendations to Deny:

 - a. **Request by Carl Orvin**, 1113 Walter Road, Macedonia, TMS# 071-00-02 -015, (1.04 acres), **from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District.** Council District 6.
 - b. **Request by Kenneth Reed**, 1001 St. James Ave., Goose Creek, TMS# 223-00-00-010, (1.6 acres), **from R-2, Manufactured Residential District, to GC, General Commercial District.** Council District 4.
3. **Committee on Public Works and Purchasing.**
Councilmember, Caldwell Pinckney, Jr., Chairman.

Bids and Recommendations:

 - a. EMS Department: Sole Source Purchase of Emergency Management Software.
 - b. Water & Sanitation:
Berkeley County Solid Waste Franchise.
Roll Off Truck.
4. **Committee on Justice and Public Safety.**
Councilmember, Mrs. Judy C. Mims, Chairman
 - a. Sheriff's Department: Transfer of funds within Department.

5. **Committee on Water and Sanitation.**
Councilmember, Mr. Steve C. Davis, Chairman.
 - a. Herrin Contract.
6. **Committee on Planning and Development.**
Councilmember, Mr. Charles E. Davis, Chairman.
7. **Committee on Community Services.**
Councilmember, Mrs. Judith K. Spooner, Chairman.
8. **Committee on Human Services.**
Councilmember, Mr. William E. Crosby, Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

ACCOMMODATIONS TAX ADVISORY COMMITTEE
BCD COUNCIL OF GOVERNMENTS
BERKELEY COUNTY LIBRARY BOARD
BERKELEY COUNTY MENTAL HEALTH BOARD
BERKELEY-CHARLESTON-DORCHESTER - RTMA
CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS
HOUSING BOARD OF ADJUSTMENTS AND APPEALS
SANTEE COOPER COUNTIES PROMOTION COMMISSION
SPIERS LANDING COMMISSION
TAX ASSESSMENT REVIEW BOARD

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION to appoint and Commission additional Code Enforcement officer for the proper security, general welfare, and convenience of Berkeley County.

ANNOUNCEMENTS

The MARCH 2004, Regular Meeting of Berkeley County Council will be held on MONDAY MARCH 15, 2004, IMMEDIATELY FOLLOWING PUBLIC HEARINGS, THE MEETING OF THE COMMITTEE ON FINANCE AT 6:00 PM, in THE ASSEMBLY ROOM, 223 NORTH LIVE OAK DRIVE, MONCKS CORNER, S. C.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

February 11, 2004
S/Barbara B. Austin
Clerk of County Council